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6 Attorneys for Fernando Gamboa Howard  
aka Osvaldo Ricardo Romandia

7 UNITED STATES DISTRICT COURT  
8 DISTRICT OF NEVADA  
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\* \* \*

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 vs.

13 FERNANDO GAMBOA HOWARD  
14 AKA OSVALDO RICARDO ROMANDIA,

15 Defendant.  
16

2:15-mj-627-NJK

STIPULATION TO CONTINUE  
HEARING

(Third Request)

17 IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden, United  
18 States Attorney, and Pamela A. Martin, Assistant United States Attorney, counsel for the United  
19 States of America, and Rene L. Valladares, Federal Public Defender, and Brian Pugh, Assistant  
20 Federal Public Defender, counsel for, FERNANDO GAMBOA HOWARD, that the Hearing  
21 currently scheduled for September 3, 2015 at the hour of 10:30 a.m., be vacated and set to a date and  
22 time convenient to this court. However, in no event earlier than October 6, 2015.

23 This Stipulation is entered into for the following reasons:

- 24 1. Defense Counsel familiar with this case is unavailable.
- 25 2. Government's Counsel has no issue with the stipulation. However, is unavailable  
26 until after October 5, 2015.
- 27
- 28

3. Defendant is incarcerated and does not object to a continuance.

4. This is the third request for continuance filed herein.

DATED this 2<sup>nd</sup> day of September, 2015.

RENE L. VALLADARES  
Federal Public Defender

DANIEL G. BOGDEN  
United States Attorney

By /s/ Brian Pugh  
Brian Pugh  
Assistant Federal Public Defender

By /s/ Pamela A. Martin  
Pamela A. Martin  
Assistant United States Attorney

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

\* \* \*

UNITED STATES OF AMERICA,

2:15-mj-627-NJK

Plaintiff,

vs.

ORDER

FERNANDO GAMBOA HOWARD  
AKA OSVALDO RICARDO ROMANDIA,

Defendant.

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Defense Counsel familiar with this case is unavailable.
2. Government's Counsel has no issue with the stipulation. However, is unavailable until after October 5, 2015.
3. Defendant is incarcerated and does not object to a continuance.
4. This is the third request for continuance filed herein.

CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for the hearing, taking into account the exercise of due diligence.

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1 IT IS THEREFORE ORDERED that the Hearing currently scheduled on September 3,  
2 2015 at the hour of 10:30 a.m., be vacated and continued to October 8, 2015 at  
3 10:00 a.m, in Courtroom 3C.

4 DATED: September 2, 2015.

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UNITED STATES MAGISTRATE JUDGE